

## Governor's Biennial Message To Solons Recommends Somewhat Drastic Laws

### KERN AGAIN HAS DEFEAT

Democrats of Indiana Legis-  
lature Nominate Shively  
for the Senatorship.

NOMINEE IS LAWYER

Who Served Four Terms in  
the Lower House of the  
Federal Congress.

INDIANAPOLIS, Ind., Jan. 14.—  
B. F. Shively, of South Bend, was  
nominated for United States senator  
this morning by the Democratic caucus  
of the Indiana legislature. The  
balloting required five hours, Shively  
being named on the twentieth ballot.  
The nearest rival was John W.  
Kern, late Democratic vice-presiden-  
tial candidate, who received thirty-  
five votes on the final ballot.

The other four candidates, E. G.  
Hoffman, Major G. W. Manzie, L.  
Ert Slack and John E. Lamb, re-  
mained before the caucus until the  
decision. When it became apparent  
to the Kern forces that he could not  
win an attempt was made by them  
to adjourn, but it failed. Kern sup-  
porters had previously lost the first  
battle in the caucus, when the propo-  
sition to have an open ballot was  
defeated.

Shively is a lawyer. He served  
four terms in the lower house of  
Congress being elected each time  
from Republican districts. He will  
be the first Democratic senator from  
Indiana for sixteen years.

For many ballots preceding the  
final one it was clear the race was  
between Shively and Kern, but  
Shively's gain though small was con-  
sistent and brought him at last to  
the goal with forty-two votes, Kern  
receiving thirty-five.

The nomination of Shively was  
brought about by a transfer of votes  
from Slack to Shively. Kern's man-  
agers, fearing defeat, made a des-  
perate effort at 1 o'clock to force an  
adjournment of the caucus, but the  
attempt failed by one vote.

On the sixteenth ballot Shively re-  
ceived thirty-six votes and his sup-  
porters renewed their efforts and he  
continued to gain until he received  
the nomination.

### COUNTY BUSINESS

Is Still Being Looked After by  
the County Court  
in Session.

At Thursday's session of the county  
court William Long was exonerated  
on 21 acres valued at \$700 and the  
value was reduced to \$700.

I. H. Griffin was charged with the  
oil and gas under 21 acres and taxes  
for 1908.

The Shinnston Development Com-  
pany was exonerated on 11 lots val-  
ued at \$1,475.

The Cook Coal & Coke Company  
was exonerated on a valuation of  
\$17,500.

W. N. Edgill qualified as adminis-  
trator of Sarah J. Swiger, deceased,  
with bond at \$3,000.

### GOOD FELLOWSHIP

Meeting is to be held by Brotherhood  
of Goff Church.

Invitations reading as follows have  
been issued to the public:

You are cordially invited to attend  
the good fellowship meeting of the  
Methodist Brotherhood on the eve-  
ning of Thursday, January 14, 1909,  
at 7:30 o'clock, Goff Church. There  
will be music by orchestra and Men's  
Chorus, an able speaker and some-  
thing good to eat. Bring your friend.

### TO OFFER EXTINGUISHERS

Alex. P. Hall will go to Charleston  
Friday of the present week to make  
the legislature a proposition to install  
standard dry powder fire extinguish-  
ers in all the state institutions in ad-  
dition to the fire fighting equipment they  
now have. Demonstrations will be  
made by him of their use and effec-  
tiveness in the presence of the state  
law makers.

### ALVA MAHANAH IS NOT GUILTY

Lewis Jones, Colored, is Con-  
victed of Horse Stealing.  
Yodki Put on Trial.

Judge Charles W. Lynch in cir-  
cuit court Thursday morning decided  
the case of the Philadelphia Com-  
pany of West Virginia against J. M.  
Garrett and others, which has been  
pending some time. The plaintiff by  
virtue of a prior oil and gas lease on  
the John H. Bramer farm near  
Marshallville sued the defendant for pos-  
session. The latter charged that the  
prior lease was a forgery, but Judge  
Lynch in deciding the case in favor  
of the defendant concluded from the  
evidence that Bramer and his wife  
signed and executed the plaintiff's  
lease and therefore the lease was not  
forged but that the acknowledgment  
was defective.

Pleas Are Entered.  
Victoria Boggers pleaded guilty to  
breaking into and stealing clothing  
and other articles from Jacob Fittro's  
home near Wilsonburg. Bertha Bog-  
gers indicted jointly with her, pleaded  
not guilty.

Mack Hall pleaded not guilty of a  
misdemeanor charge.

Lynn Brannon, of Weston, was ad-  
mitted to the bar.

At 6 o'clock Wednesday evening  
the jury acquitted Alva Mahana,  
charged with burglary of a store at  
Rinehart.

Lewis Jones, colored, was placed  
on trial Thursday morning for the  
theft of a horse.

Jones was found guilty by the jury  
in the afternoon.

Arthur Yodki was placed on trial  
charged with assault and battery on  
Jessie Savage, a young girl.

Chancery Orders.  
Chancery orders have been enter-  
ed as follows:

William H. Carr vs. Charles Davis  
and R. C. Davis, defendants file an-  
swer and plaintiff replies generally.

William H. Carr vs. R. C. Davis  
and Edward R. Davis, answer filed  
and replied to generally.

Stuart F. Reed vs. Emma L. Jack-  
son et al., dismissed without pre-  
judice.

Reserve Gas Company vs. John A.  
Gawthrop and Martha E. Gawthrop,  
dismissed.

William F. Baird vs. George M.  
Kyle et al., defendant ordered to pay  
costs and case is dropped from dock-  
et.

Sarah J. Cartright vs. Thornton E.  
Cartright, divorce granted.

Enoch M. Hese, administrator, etc.,  
vs. Alice Moore, et al., sale ordered.

Oliver P. Boughner vs. Granville  
Knight, adm's., et al., special com-  
missioner's final report confirmed and  
commissioner dismissed.

Empire National Bank vs. M. F.  
Bartlett et al., same order.

William Jarvis vs. Hope Natural  
Gas Company, case dismissed.

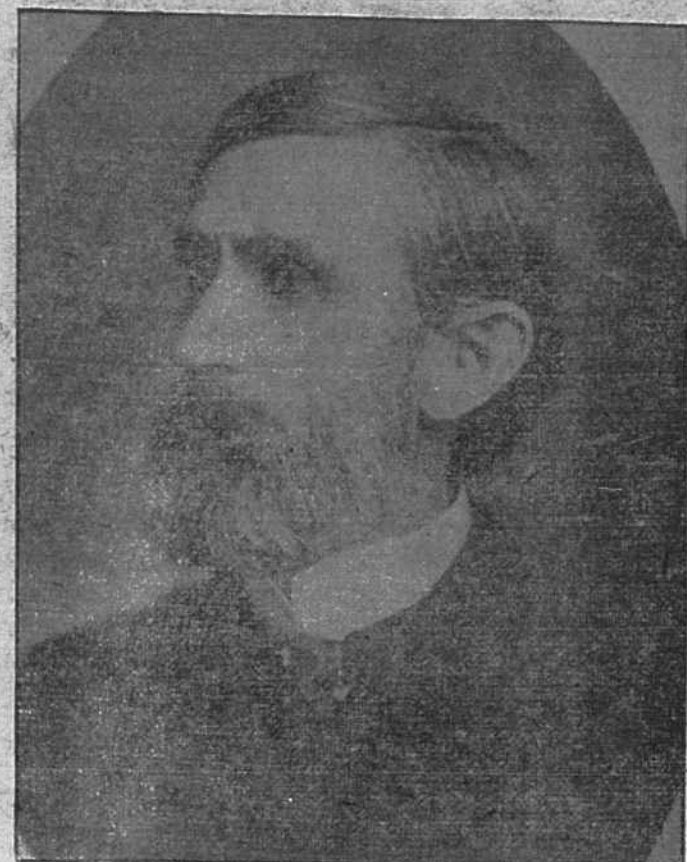
James F. McIntire vs. Amy Tetrick,  
sale confirmed.

### FRANCHISE SOUGHT

For a Trolley Line From Mor-  
gantown to Point  
Marion.

The Deckers Creek and Cheat River  
Railway company which is seek-  
ing a franchise from the Monongalia  
county court expects to be able to  
construct a practical trolley line  
from Morgantown to Cheat river in  
the vicinity of Lee's ferry, and thence  
to Point Marion. The surveys have  
been completed only to Dellslow, and  
the route from that point to the river,  
on the other side of the divide,  
and thence to Point Marion is not  
accurately fixed. Cheat river, near  
the Grant cottage, can be reached by  
way of Dellslow in nine miles, and  
from that place to Point Marion a  
line can be built in seven miles. The  
entire distance, therefore, from Mor-  
gantown to Cheat and the Point is  
16 miles.

O. F. Chapman, of Huntington,  
is a city business visitor.



GOVERNOR W. M. O. DAWSON

Who recommends a statute law, in the event the legislature fails to  
vote the necessary two-thirds in favor of submitting the proposed  
prohibition amendment.

### GUESTS OF HOTEL JUMP FROM FLAMES

As They Consume a Famous  
Stopping Place and One  
is Missing.

TOPEKA, Kans., Jan. 14.—The  
Copeland hotel, a famous stopping  
place for legislators and politicians,  
and situated a block from the state  
capitol, was destroyed by fire that  
started shortly after 4 o'clock this  
morning.

Every room was occupied the  
guests numbering about 100. Among  
them were many persons of promi-  
nence throughout the state.

The flames burned with such  
rapidity that most of the occupants  
were forced to make their escape  
by way of fire escapes.

Many jumped to save their lives  
and received more or less serious in-  
juries. A dozen persons were in-  
jured and are suffering from broken  
limbs and bruises.

L. E. Lambert, of Emporia, a  
prominent politician, is missing.  
The hotel was a four story brick  
structure. The loss is \$100,000.

### PETITIONS SENT

To Charleston Containing a  
Large Number of Signa-  
tures of Voters.

About thirty petitions were forward-  
ed to Charleston last night from  
those in charge of the model liquor  
license campaign. It is stated they  
contained the signatures of nearly  
three thousand voters. It is also  
stated that there are more to be sent  
in. These along with petitions from  
all over the state will be to the leg-  
islature and they ask for the passage  
of the model liquor license as formu-  
lated and endorsed by the National  
Model Liquor League. Other peti-  
tions will be sent in asking for the  
submission of the prohibition amend-  
ment.

### CHICKENS STOLEN

D. W. McGeorge Loses Six Fowls  
From His Henhouse.

A thief broke into the hen house  
of D. W. McGeorge in the rear of  
his house on Werninger street Wed-  
nesday night and made off with six  
fowls. An occupant of the house  
heard the chickens squawking and  
saw a fellow with a sack going down  
toward the creek. Mr. McGeorge  
summoned two policemen who, with  
him, trailed the robber some distance  
down the creek bank, but did not  
succeed in apprehending him.

### LEAVES THE HOSPITAL

Mrs. W. F. Miles, of Weston, who  
was a patient at St. Mary's hospital  
and who underwent a delicate opera-  
tion, has recovered sufficiently to go  
home today.

Tax on Coal, Oil and Gas is  
Urged for Raising  
More Revenue.

### THE ROSE OPTION LAW

And Submission of Amend-  
ment or a Statute to Pro-  
hibit Liquor Traffic.

CHARLESTON, Jan. 14.—The reg-  
ular biennial message of Governor  
Dawson to the legislature in regular  
session was submitted today. It is  
lengthy, covering 67 printed pages  
and touches on numerous subjects,  
dealing with the more important at  
length.

The receipts and expenditures of  
the State for the last two years are  
given in tabulated form, showing that  
the balance of the State fund is  
over \$7,000 more at the end of last  
year than two years ago.

The recommendations of the state  
tax commissioner for the collection  
of more money for state purposes are  
endorsed, and it is urged that there  
should be an amendment to the Con-  
stitution giving power to tax certain  
properties and to exempt infant in-  
dustries for a brief period from tax-  
ation, such as new railroads, which  
do not make their operating expenses  
for the first two or three years. Tax-  
ation of households is urged as well  
as a production tax on coal, gas and  
oil.

Conservation of National Resources.  
The recommendations made by the  
commission on the conservation of  
national resources are approved by  
the governor and commended for  
favorable consideration. Of the re-  
port the governor says in his mes-  
sage:

"It recommends that the Legisla-  
ture enact three statutes: First, a  
forest law; second, a law to check  
waste of natural gas; third, to lessen  
the waste of by-products in the manu-  
facture of coke. The forest law  
provides for a state forester, with all  
constables as ex-officio fire marshals;  
authorizes the acquiring and setting  
apart of lands by the state for the  
purpose of forestry; and provides a  
way to co-operate with private tim-  
ber owners in the management of

(Continued on page 3.)

### CHICKEN FEAST SPREAD

In Italian's House When the  
Bloodhounds and Offi-  
cers Arrive.

The Fairmont Coal company blood  
hounds which are worked by Will  
Haymond of Enterprise, had a busy  
day yesterday when they started the  
trail of an Italian who was charged  
with stealing chickens from Blaine  
Courtney who is the mine foreman  
at Chleferton. The chase ended with  
the arrest of a man who gives his  
name as Dominick Whales. He is  
now in the Marion county jail await-  
ing a hearing before Justice Amos  
which he will have today.

When the dogs were taken to the  
coop they at once started the trail.  
It lead down through Chleferton across  
the river and over to Highland in  
the foreign settlement. When the  
dogs reached a certain house there  
they stopped and Officer Fleming be-  
gan to search. He found outside a  
lot of feathers which corresponded  
to those of the chickens stolen.  
Opening the door he discovered four  
Italians sitting about the table while  
there were three chickens cooked en-  
tire with their feet on ready to be  
served. Other chicken feet were to  
be seen protruding from the bed and  
the room seemed to be filled with  
them.

### DOCTORS

Will Discuss Topics on Diseases of  
Heart at School Session.

The program to be followed by the  
Harrison County Medical Society at  
the regular weekly meeting of its  
post graduate school to be held in its  
room in the Empire building tonight,  
beginning at 8 o'clock, is as fol-  
lows:

Diseases of the Endocardium—Dr.  
A. O. Flowers, Dr. W. B. Rogers.  
Aortic Lesions—Regurgitation and  
Stenosis—Dr. H. V. Varner, Dr. J.  
H. Corder.  
Mitral Lesions—Regurgitation and  
Stenosis—Dr. R. B. Nutter, Dr. E. N.  
Flowers.

## MORE DAMS ARE NEEDED

Declares One of Clarksburg's Enterprising Merchants and  
Another Says Improvements Will Be  
Good for the City.

Merchants as well as manufacturers are coming more and more to  
a keen realization of the urgent need of water works improvements in  
this city. Among them is that enterprising merchant, M. A. Nusbaum,  
the clothier, who writes a strong letter as follows, dwelling especially  
on the storage feature:

Clarksburg, W. Va., Jan. 14, 1909.

Mr. A. K. Thorn, Secretary,  
Clarksburg Board of Trade,  
Clarksburg, W. Va.

Dear Sir:—I desire to say that I have read with increasing interest  
the letters of Mr. Weir the General Manager of the Phillips Sheet & Tin  
Plate Company, and Mr. Smiley, the president of the Star Rig Reel &  
Supply Company, in relation to the importance of improved water and  
sewerage facilities.

There isn't a citizen who does not want to see the city grow and  
develop into the leading manufacturing city of this State, and it occurs  
to me that the most important step to take in order to encourage invest-  
ment, and if you please, to encourage the interests we already have in  
our midst, is to issue bonds for enlargement and improvements of the  
water system.

During last summer and autumn scores of homes were without this  
necessary commodity for their comfort and convenience. And, so, Mr.  
Secretary, there is a domestic reason as well as an industrial and com-  
mercial one for additional storage of the large amount of water that is  
available. Let me tell you the fable of the two municipalities:

"Two cities once stood on opposite sides of a broad valley.  
"One day a stranger came into the valley, searching for a home for  
his family, and decided to settle in one of these cities.

"But each was so attractive that he found it hard to choose. Finally  
he said to himself: 'There is nothing more important than an abun-  
dant supply of good water—I'll choose the city that has the best water supply.'

"So he went to the Eastern town and interviewed a leading citizen.  
'But,' exclaimed the citizen with a chuckle, 'both towns get their water  
from the same river.'

"Nevertheless," said he, after a moment's reflection, "now I come to  
think of it, our city enjoys a distinct advantage. Our supply is brought  
in pipes direct from the stream; whereas, the Western city hoards its  
water in a huge reservoir, and the people must be content with such a  
supply as the authorities see fit to distribute. If you settle here you will  
get all the water you want direct from the river—you need not fear  
that any of it will be diverted to fill a great reservoir."

"As soon as the stranger had listened to this statement, he crossed  
the valley and entered into conversation with a citizen of the Western  
town.

"Why," said he, "do you deprive your citizens of water, and hoard  
it in that great reservoir?"

"It is for their benefit and protection," replied the citizen. "In the  
first place, this storage of water is not a deprivation; our people suffer  
nothing; their daily supply is equal to that of the Eastern town."

"So the stranger settled in the Western town, and congratulated  
himself forever after; for during the following summer a severe drought  
fell upon that region, and the water in the great reservoir carried the  
people comfortably through that trying period.

"In the Eastern city, on the contrary, there was a water famine,  
and many of the inhabitants were driven away. Subsequently a fire,  
which could easily have been extinguished if a little water had been at  
hand, became a great conflagration and devastated a thickly populated  
quarter of the town."

The moral is this: Let us build additional dams to store the water  
as recommended by the committee of which our distinguished fellow-  
townsman, Mr. R. T. Lowndes, was chairman.

Take the State and National Banks in this Nation of ours, and one  
of their chief aims is to provide a surplus that shall meet all possible  
contingencies. I therefore submit that it is not only proper but the  
absolute duty of a municipality to provide and conserve the necessary  
amount of water to meet these emergencies—anything short of that is  
suicidal.

Yours very truly,  
M. A. NUSBAUM.

### Davis Is For Bond Issue.

Fred Davis, manager of the Davis Shoe Company, makes the follow-  
ing announcement concerning the proposed bond issue:

"As a member of the Clarksburg Retail Merchants Association, I  
heartily endorse the bond issue as I think it necessary for the good  
of the city."

### GRANT'S SUIT

Against the Baltimore & Ohio  
Railroad Company to Be  
Decided Soon.

The State Supreme Court will pass  
on an important case February 16 at  
Charleston, namely, that of Arthur  
Grant against the Baltimore & Ohio  
Railroad Company, instituted at New  
Martinsville by Grant's attorney, J. E.  
Lwa, of this city. Grant sued the  
railroad company to collect the pen-  
alty for excessive passenger charges  
on the Short Line railroad before the  
two-cent-fare law went into effect,  
and was awarded a judgment for  
\$2,000 in the circuit court of Wetzel  
county. The company then appealed  
the case to the supreme court. There  
are about a dozen other suits of this  
nature dependent largely upon the  
decision in the Grant case.

F. O. Bailey is a business visitor  
here from Keyser.

### PISTOL FIGHT

Ends Patrolman's Life, Fata-  
ly Injures Another as Well  
as Hold-Up Fellow.

OMAHA, Neb., Jan. 14.—In a pistol  
fight following an attempt to hold up  
a public house here early today,  
Patrolman L. A. Smith was killed,  
Detective W. J. Deveres, fatally in-  
jured, and Albert Clarke, a hold-up  
man, fatally hurt. Betty Smith, one  
of the inmates was dangerously shot  
while resisting Clarke. Clarke came  
from Denver three days ago.

### HIGHER DISCOUNT RATE.

LONDON, Eng., Jan. 14.—The  
rate of discount of the Bank of Eng-  
land was raised today from 3 1/2 to  
4 per cent. This is the first change  
since May of last year.

W. W. Chapman, of Weston, is in  
the city.